

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MICHAEL W. McCARRIN,**  
**Plaintiff,**

**v.**

**MARIO POLLERA, et al.,**  
**Defendants.**

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**CIVIL ACTION**

**No.: 17-cv-1691**

**ORDER**

**AND NOW**, this 30th day of November, 2017, upon consideration of Plaintiff's Motion Pursuant to Federal Rule of Civil Procedure 12(3) and (f) (ECF No. 13), Defendants' response in opposition thereto, (ECF No. 16) and Plaintiff's Reply, (ECF No. 17), and for the reasons set forth in the memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED** that Plaintiff's Motion Pursuant to Federal Rule of Civil Procedure 12(e) and (f) (ECF No. 13) is **DENIED**.

BY THE COURT:

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE